

In The Matter Of:
Utah Physicians For A Healthy Environment v.
Diesel Power Gear

Hans Peterson

30(b)(6) of B&W Auto,
LLC/Sparks Motors
August 4, 2017



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Hans Peterson

1 Q. Any plates for the Bro-Dozer?

2 A. No, because we never -- I mean, the Bro-Dozer
3 doesn't drive down the road. We don't take it down the
4 road, so it never would have needed a plate. We always
5 haul it everywhere we go.

6 Q. If you're driving it in Moab on BLM roads or
7 county roads, don't you need a plate?

8 A. So at that point it would just be under our
9 dealer plate. We'd be running dealer plate on it. If we
10 were -- like, for example, when we go out on trails and
11 stuff, it's running a dealer plate.

12 Q. Huh. Do you have a picture of that, an example
13 of that --

14 A. I don't, no.

15 Q. -- with the Bro-Dozer?

16 A. I don't even know if we ever put a dealer plate
17 on there or not. I would just assume that that's what it
18 would be under is the insurance on our dealership, as
19 well as the plate on our dealership. But I -- I don't
20 recall putting one on there. I don't recall seeing one
21 on there. I don't -- like I said, I'm just assuming
22 that's what it would all be under.

23 Q. That's what -- okay.

24 When is the last time you recall any of these
25 vehicles on the list being operated in Utah?

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Hans Peterson**

1 A. Define "operated."
2 Q. Running, with engine running.
3 A. The Bro-Dozer engine runs right now.

4 Hercules --

5 Q. I mean -- I'm sorry -- is on, I mean,
6 combustion is occurring.

7 A. Megaram, Bro-Dozer, Hercules. And those are
8 the only ones I know of. I don't -- I don't know where
9 The Reaper is.

10 Q. And does that mean this year, in 2017?

11 A. That's, like, right now.

12 Q. Okay.

13 A. I'm talking right now.

14 Q. This month, August of 2017?

15 A. Yeah. So Megaram runs.

16 Q. No, that you have --

17 A. It starts.

18 Q. -- I mean, that you have seen it operating,
19 that is running.

20 MS. CONWAY: Not that it's capable of starting
21 and running. He wants to know if you've even seen
22 anybody drive it in Utah.

23 Q. (BY MR. ZARS) Or start it and run it in a
24 stationary position.

25 A. Yes. Megaram, Bro-Dozer, Hercules, Super Six

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Hans Peterson**

1 when the exhaust parts showed up for that truck, I gave
2 it to my guys and said, "This is what they sent out." My
3 guys performed the work. And then it wasn't till after
4 that -- when Prestone contacted us and said, "This is
5 supposed to have a muffler on it," we said, "You sent us
6 that kit without a muffler. We did what we were told."
7 So I had not a clue about it until after the vehicle was
8 out of our possession.

9 I assumed that we were keeping it on there, and
10 my guy assumed that as well, but then somehow they sent
11 out the kit. It was a muffler delete and that's where it
12 ended up.

13 Q. (BY MR. ZARS) And then what happened if there
14 was a problem over this did -- if Prestone said, "Where's
15 our muffler?"

16 A. Oh, yeah, they've asked, and we told them where
17 it is. And we're just waiting for them to say what to do
18 with it.

19 Q. I see. Do you understand why it's illegal to
20 remove this equipment?

21 A. Yes.

22 Q. Why is that?

23 A. Because we're adding more pollution to the air.
24 And it's illegal because -- I know how -- why it is
25 illegal now because if it comes from the factory with the

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Hans Peterson

1 muffler on there, not allowed to remove it. And that's
2 what makes it illegal is removing it at that point.

3 Q. Okay. How many vehicles have, for want of a
4 better term, been through the shop during your period of
5 employment there as the shop manager or shop foreman?

6 A. I would be guessing if I said twenty, is a
7 rough.

8 Q. Last year or so?

9 A. Yeah, probably. That's -- I would say -- well,
10 I wouldn't even say twenty. I'd say less than twenty.

11 Q. And by "been through," I mean, you've put some
12 work into --

13 A. Yeah.

14 Q. -- or the shop put some work into them --

15 A. Yeah.

16 Q. -- body work, engine work, emission work --

17 A. Yeah.

18 Q. -- something?

19 A. With the TV show there, it's a very slow shop.
20 Very slow shop. So I bet it's only been roughly twenty.

21 Q. Is there anything else you'd like to say or
22 clarify or amend from your answers today?

23 A. Just that I -- the shop manager position was
24 something I was thrown into. It was nothing I signed up
25 for. It's nothing I wanted to have happen. It was -- I